

15541 U.S. PTO
07/17/03

UTILITY PATENT APPLICATION TRANSMITTAL

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| Address to: Mail Stop PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 | Attorney Docket No. | RPC 0529 PUSA |
| | Inventor(s) or Appln. Identifier | Robert V. Gruber |

03506 U.S. PTO
10/621974

07/17/03

1. This application entitled TRAY AND DOLLY ASSEMBLY is:
- a. ☐ A new application under 37 C.F.R. § 1.53(b).
- b. ☒ A ☒ continuation ☐ divisional or ☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 09/839,018 filed on April 20, 2001, entitled TRAY AND DOLLY ASSEMBLY.
- c. ☐ A new utility application which claims the benefit of provisional application Serial No. , filed on .

Application elements and other attached papers:

2. ☒ Specification (including Claims and Abstract) [Total Pages 16]
3. ☒ Drawings (☐ informal / ☒ formal) [Total Sheets 7]
4. ☐ Oath or Declaration
- a. ☐ Newly-executed
- b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
5. ☒ Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
- _____
- _____
- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop Patent Application, Commissioner for Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Express
Mail Label No. EJ 206 387 760 US

Date of Deposit: July 17, 2003

Konstantine J. Diamond
(Type or print name of person mailing paper)

Kan
(Signature of person mailing paper)

7. Preliminary Amendment:

- a. A Preliminary Amendment is attached.
- b. Cancel in this application original claims of the prior application before calculating the filing fee.
- c. X Please amend the specification by inserting before the first line the following sentence:
- "This is a X continuation
 divisional
of copending application(s) serial number 09/839,018
filed on April 20, 2001."
- d. A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. ☐ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

9. Fee Calculation:

| FOR | NUMBER FILED | NUMBER EXTRA | RATE | CALCULATIONS |
|---|-----------------|--------------|---------|--------------|
| TOTAL CLAIMS (37 C.F.R. § 1.16(c)) | 30 -20 = | 10 | x 18.00 | \$180.00 |
| INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b)) | 8 -3 = | 5 | x 84.00 | \$420.00 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d)) | | | 270.00 | |
| BASIC FEE (37 C.F.R. § 1.16(a)) | | | | 75 0.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | \$1350.00 |
| REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28) | | | | |
| \$40.00 ASSIGNMENT RECORDAL FEE (if applicable) | | | | |
| TOTAL | | | | \$1350.00 |

10. X Two checks in the total amount of \$ 1350.00 are enclosed, (one for \$1108, the other for \$242).
11. X The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 50-1984 :
- a. X Fees required under 37 C.F.R. § 1.16.
- b. X Fees required under 37 C.F.R. § 1.17.

12. Maintenance of Copendency of Prior Application

_____ A request for extension of time and the appropriate fee have been filed in the pending **prior** application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

13. X An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:

- a. X Form PTO/SB/08 (1 sheet(s))
- b. X Copies of references are NOT included pursuant to 37 CFR 1.97(d)

14. _____ Certified copy of priority document(s)

15. X Return Receipt Postcard

16. _____ Other: _____

17. X An Assignment of the invention to REHRIG PACIFIC COMPANY
having an address of 4010 E. 26th Street, Los Angeles, CA 90023

- a. is attached.
- b. X was recorded on 8/1/2001 at Reel 012033 , Frame 0454 .
- c. Applicant requests that the above assignee information be published with the application.

18. The power of attorney in the prior application is to:

| | |
|-------------------------------|---------------|
| <u>Konstantine J. Diamond</u> | <u>39,657</u> |
| Name of Attorney of Record | Reg. No. |

- X The power appears in the original papers in the prior application.
- The power does not appear in the original papers, but was filed on _____.
- A new power has been executed and is attached.

19. Correspondence Address: Please address all future communications to:

Konstantine J. Diamond
4010 E. 26th Street
Los Angeles, CA 90023
Telephone: 323-262-5145; Fax: 323-269-8506

Respectfully submitted,

Robert V. Gruber

Date July 17, 2003

Name: Konstantine J. Diamond
Registration No.: 39,657

 X Attorney or agent of record
 X Filed under Rule 34(a)